

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED
HARRISBURG, PA

2020 JAN 10 PM 3:55

IN RE: MAROUAN HAJMABROUK

CASE NO.: 1:19-bk-04953-HWV

Debtor.

CHAPTER 7

CLERK
U.S. BANKRUPTCY COURT

MAROUAN HAJMABROUK,

Movant,

v.

11 U.S.C. 722

TOYOTA MOTOR CREDIT
PO BOX 9786
CEDAR RAPIDS, IA 52409

Respondent.

MOTION FOR AUTHORITY TO REDEEM PERSONAL PROPERTY

UNDER 11 U.S.C. § 722

Now come (s) the Debtor (s), and moves the court pursuant to 11 U.S.C. 722 and Bankruptcy Rule 6008 for a Redemption Order on the following grounds:

1. The item to be redeemed is tangible personal property intended primarily for personal, family or household use is more particularly described as follows:

Year: 2013
Make: Nissan
Model: Rogue
VIN # JN8AS5MVXDW603336

2. The interest of the Debtor (s) in such property is exempt and the Trustee has filed a report of no distribution. To the extent formal abandonment is required, Debtor requests this Motion deem said property abandoned by the Chapter 7 Trustee.
3. The debt (which is secured by said property to the extent of the allowed secured claim of the creditor) is a dischargeable consumer debt.
4. The allowed secured claim of said Creditor for purposes of redemption, the "redemption value", should be determined to be not more than \$2,100.00 for the following reasons:
 - a. The vehicle was appraised by KBB to be valued at \$2,100 as evidenced by the attached evidence;
 - b. The vehicle is in need of major repairs including the need for the following:
 - i) New CVT Transmission (\$3000 cost);
 - ii) Axles;
 - iii) Four (4) Tires;
 - iv) Air Filter;
 - v) Fix/touch up the missing paint on the left side passenger door;
 - vi) New Battery;

- c. The vehicle has extensive cosmetic damage which would reduce the value of the vehicle significantly on re-sale.
- 5. Arrangements have been made by the Debtor (s) to pay to the said Creditor up to the aforesaid amount in a lump sum should this motion be granted.
- 6. The payment for this proposed redemption will be from post-petition earnings.

WHEREFORE, the Debtor (s) request (s) the Court to order the said Creditor to accept from the Debtor (s) the lump sum payment of the redemption value and release their lien of record. In the event the said Creditor objects to this motion, the Debtor (s) requests the Court to determine the value of the property as of the time of the hearing on such objection.

Date: January 10, 2020

Respectfully submitted,

/s/ MAROUAN HAJMABROUK

Debtor (s)

314 W Snyder St

Selinsgrove, PA 17870

Home > What's My Car Worth > Style > Options & Condition > SV Sport Utility 4D



1 Recall Found

Is my car affected?



Service & Repair Estimator

What's a fair price?

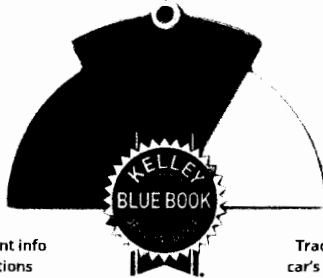


Trade-in Range

\$1,379 - \$2,680

Trade-in Value

\$2,100



1 Important info
& definitions

Track this
car's values

TRADE-IN VALUE

This estimated value helps you
confidently negotiate with dealers.

Average Time to Trade-In:



DAYS

Level of Effort:



Medium

[See Overview of Values](#)

Condition: Fair

Valid for ZIP Code 17870 through 01/09/2020

Overall Consumer Rating 4.2 / 5

401 Ratings

[Write a review](#)



[Start the Trade-in Process Online](#)



You're Interested in:

Nissan Rogue

[Change vehicle](#)

Choose up to 3 dealers



W&L Nissan

2039 NORTH SUSQUEHANNA TRAIL
HUMMELS WHARF, PA 17831
2 Miles Away



Alexander Nissan

10 ALEXANDER DR
MUNCY, PA 17756
30 Miles Away



Maguire's Nissan of Lebanon

2001 CUMBERLAND ST
LEBANON, PA 17042
40 Miles Away

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PO BOX 9786	:	
CEDAR RAPIDS, IA 52409	:	
	:	
Respondent.	:	

NOTICE OF MOTION AND RESPONSE DEADLINE

The Debtor filed a Motion for Authority to Redeem Personal Property on January 10, 2020 for the purposes of redeeming the 2013 Nissan Rogue pursuant to 11 U.S.C. § 722.

If you object to the relief requested, you must file your objection/response by January 25, 2020 with the Clerk of Bankruptcy Court Terrence S. Miller U.S. Courthouse, 228 Walnut Street, P.O. Box 983, Harrisburg, PA 17108 and serve a copy to the Debtor, Marouan HajMabrouk, 314 W Snyder St, Selinsgrove, PA 17870

If you file and serve an objection/response within the time permitted, the Court will schedule a hearing and you will be notified. If you do not file an objection/response within the time permitted, the Court will deem the motion unopposed and proceed to consider the motion without further notice or hearing, and may grant the relief requested.

Date: January 10, 2020

/s/ Marouan HajMabrouk
Debtor (s)
314 W Snyder St.
Selinsgrove, PA 17870
570-540-2193

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	:	
Respondent.	:	

ORDER GRANTING REDEMPTION

Upon the motion of the Debtor (s) and there having been no responsive filing or objection within the time required, the Court finds as follows:

1. The tangible personal property described below is intended primarily for personal, family or household use of the debtor (s):

Year: 2013 Make: Nissan Model: Rogue VIN # JN8AS5MVXDW603336

2. The debt owing the Respondent is a dischargeable consumer debt and the Debtor (s) interest in such property is exempt and the Chapter 7 Trustee has filed a report of no distribution. The property is therefore deemed abandoned.
3. The value of the secured claim of the Respondent for redemption purposes, the "redemption amount" is \$2,100.00.

IT HEREBY ORDERED,

1. That the Debtor (s) may redeem the subject property by paying to the Respondent on or before the thirtieth (30th) day following entry of this Order the redemption amount.
2. Upon timely receipt of such payment, the Respondent is ordered to cancel its lien of record and surrender the certificate of title in accord with the Debtor instruction.
3. In the event of the failure of the Respondent to so cancel its lien within three (3) days after payment of the aforesaid lump sum pursuant to the entry of this Order, then this Order shall serve as an authorization for the said lien to be canceled, and it is Ordered that the applicable County Clerk's Office shall cancel same of record.

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PO BOX 9786CEDAR :
RAPIDS, IA 52409 :
: :
Respondent. :

CERTIFICATE OF SERVICE

I, Marouan HajMabrouk do hereby certify that I have served the foregoing Motion for Authority to Redeem Personal Property, Notice of Motion, and Proposed Order upon the following recipients:

TOYOTA MOTOR CREDIT PO BOX 9786 CEDAR RAPIDS, IA 52409 <i>Creditor</i>	Lawrence G. Frank 212 Locust Street, Suite 500 Harrisburg, PA 17101 <i>Chapter 7 Trustee</i>	228 Walnut Street Suite 1190 Harrisburg, PA 17101 <i>US Trustee</i>
James C. Warmbrodt, Esquire 701 Market Street, Suite 5000 Philadelphia, PA 19106 <i>Creditor's attorney</i>		

By mailing a copy hereof by U.S. First Class Mail on January 10, 2020.

Date: January 10, 2020

/s/ Marouan HajMabrouk
Debtor (s)
314 W Snyder St
Selinsgrove, PA 17870
570-540-2193